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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

VISHAL SHAH and JAYDEN KIM,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

FANDOM, INC.,

Defendant.

Case No. 3:24-cv-01062-RFL

**PLAINTIFFS' RESPONSE TO  
ORDER TO SHOW CAUSE**

Judge: Hon. Rita F. Lin

1 Plaintiffs Vishal Shah and Jayden Kim (“Plaintiffs”) submit this Response to the Court’s  
 2 September 5, 2024 Order directing Plaintiffs to “show cause why the case should not be dismissed  
 3 for lack of subject matter jurisdiction.” OSC Order (“OSC”) (ECF No. 26).

4 On January 8, 2024, this action was initially filed in San Francisco County Superior Court,  
 5 and on February 21, 2024, Defendant Fandom, Inc. (“Fandom” or “Defendant”) removed this action  
 6 to the Northern District of California. Notice of Removal (“NOR”) (ECF No. 1). In its notice of  
 7 removal, Defendant represented that this Court has subject matter jurisdiction under the Class Action  
 8 Fairness Act of 2005 (“CAFA”). NOR ¶¶ 9-13.

9 However, if the Court is inclined to find there is no jurisdiction under CAFA, Plaintiffs do  
 10 not oppose. Plaintiffs agree with the Court’s analysis that the majority of California residents are  
 11 likely California citizens such that the local controversy exception applies.

12 Accordingly, absent a showing by Defendant that there is CAFA jurisdiction, Plaintiffs  
 13 respectfully request that this action be remanded back to San Francisco County Superior Court.

14  
 15 Dated: September 11, 2024

Respectfully submitted,

**BURSOR & FISHER, P.A.**

17 By: /s/ L. Timothy Fisher  
 18 L. Timothy Fisher

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